IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

CIVIL REVISION APPLICATION No 671 of 2001

For Approval and Signature:

Hon'ble MR.JUSTICE M.C.PATEL

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the Civil Judge? : NO

UNITED INDIA INS. CO. LTD.

Versus

MADHUBEN KANJIBHAI

Appearance:

MR PV NANAVATI for Petitioner No. 1

MR VIBHUTI NANAVATI for Petitioner No. 1

MR SURESH M SHAH for Respondent No. 1

MR MEHUL S SHAH for Respondent No. 1

NOTICE NOT RECD BACK for Respondent No. 2

NOTICE SERVED for Respondent No. 3

CORAM : MR.JUSTICE M.C.PATEL

Date of decision: 14/09/2001

ORAL JUDGEMENT

This revision application under Section 115 of

the Civil Procedure Code is filed by the Insurance Company challenging the award of the Motor Accident Claims Tribunal at Bhavnagar in Motor Accident Claim Petition No.236 of 1999. The award was for a sum of Rs.25,000/- but the claim in the Appeal is restricted to Rs.6,250/- on the ground that the driver of the other vehicle, which was involved in the accident, was responsible to the extent of 25%. However, the owner and driver of the other vehicle were not impleaded as party and, in any case, looking to the smallness of the amount disputed in this Appeal, I do not consider this to be a fit case for interference in Revision Application. The Revision Application is, therefore, dismissed. Rule discharged. Interim relief stands vacated.

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